

Amendment and Response

Applicant: Glyn Phillip Morris, et al.

Serial No.: 10/776,668

Filed: February 11, 2004

Docket No.: C330.103.101

Title: TRANSACTION MANAGEMENT TOOL

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed April 9, 2007, in which claims 1-21 are rejected and claims 11, 13 and 15 are objected to. With this Response, claims 1-21 have been amended. Claims 1-21 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Claims 11, 13 and 15 are objected to because of the following informalities: in claim 11, line 3, "numbers" should be "number"; in claim 13, line 3, the second occurrence of "a" should be deleted; and in claim 15, line 2, the extra spaces between "an" and "estimate" should be deleted.

With this Response, claims 11, 13, and 15 have been amended as requested in the Office Action. Accordingly, withdrawal of the objections to the claims is respectfully requested.

Claim Rejections under 35 U.S.C. § 112

Claims 1-19 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The Office Action finds the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art of which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the Office Action states the Examiner is unable to determine the structural make-up of the claimed tool.

With this Response, claims 1, 2, 4-12, and 14-19 have been amended to further specify that the tool comprises a quoting module, a scoping module, and a management module, and further that at least one of the modules is operable to perform the specified operations. The quoting module, scoping module, and management module are described in detail in the specification, for example, from page 9, line 7 through page 15, line 18 and with reference to Figs. 1-3. Implementation and operation of the modules are further described, for example, from page 15, line 21 through page 18, line 4, and with reference to Figures 4(a)-4(c).

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Applicant respectfully submits that claims 1-19, as amended, clearly set forth the structural make-up of the tool. Applicant further submits that the modules making-up the tool are described in the specification in such a way as to enable one skilled in the art to make and use the invention. Accordingly, withdrawal of the rejection of claims 1-19 under 35 U.S.C. 112, first paragraph, is respectfully requested.

Claims 1, 3-5, 7-11 and 22 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action sets forth a number of claim features having insufficient antecedent basis, and further notes a number of occurrences where claim features are not positively recited.

With this Response, the claims have been amended to provide proper antecedent basis of the claim features noted in the Office Action, most commonly by changing "the" to "a" or "an." In other instances, terms such as "cost(s)" and "fee(s)" have been amended to conform to the language used in the remainder of the claim(s). In other instances, the offending claim language has been struck from the claim entirely.

With respect to the finding in the Office Action (page 4, lines 1-2) that claim 7 lacks sufficient antecedent basis for "the time spread," Applicant respectfully points to claim 6, from which claim 7 depends, setting forth "the time spread information." Applicant therefore submits that "the time spread" in claim 7 does in fact have sufficient antecedent basis.

As amended, Applicant believes claims 1, 3-5, 7-11 and 22 satisfy the requirements of 35 U.S.C. 112, second paragraph, and do in fact particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, withdrawal of the rejection of claims 1, 3-5, 7-11 and 22 under 35 U.S.C. 112, second paragraph, is respectfully requested.

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Claim Rejections under 35 U.S.C. § 101

Claims 20-21 stand rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter. In a detailed discussion, the Office Action asserts that the Applicant's invention:

- 1) "is directed to an abstract idea" (page 12, lines 3-7);
- 2) "has a specific, substantial and credible result and thus produces a useful result (page 14, lines 9-10);
- 3) "does not produce a real-world result, or beneficial effect and thus has no substantial application" (page 15, lines 4-5);
- 4) "is repeatable and predictable" (page 15, line 18); and
- 5) "is effectively directed to an abstract concept (page 16, line 19).

Applicant appreciates the Examiner's detailed analysis of the subject matter of claims 20 and 21. Claims 20 and 21 have each been amended to specify that the claimed methods provide management reports. **Applicant respectfully submits that management reports have a specific, concrete result with real-world beneficial application, and that claims 20 and 21 are therefore directed to statutory subject matter.** In particular, Applicant believes the methods of claims 20 and 21 each: have a specific, substantial and credible result and thus produce a useful result; **do** produce a real-world result or beneficial effect and thus **do** have substantial application; and are repeatable and predictable.

For at least these reasons, Applicant respectfully requests withdrawal of the rejection of claims 20-21 under 35 U.S.C. 101.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-21 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-21 are respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Matthew B. McNutt at Telephone No. (612) 767-2510, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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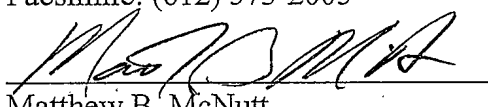
Respectfully submitted,

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